

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-4-03

WHEREAS, **CORAL WEST, LTD** had applied to Community Zoning Appeals Board

10 for the following:

GU to RU-3M

SUBJECT PROPERTY: The north $\frac{1}{2}$ of the east $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Township 54 South, Range 39 East AND: The south $\frac{1}{2}$ of the east $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Township 54 South, Range 39 East, less the south 50' thereof for right-of-way of S.W. 26 Street (Coral Way) per Official Records Book 18324, Page 4152.

LOCATION: The Northwest corner of S.W. 147 Avenue & S.W. 26 Street (Coral Way), Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1. That said Property shall be developed substantially in accordance with the plans previously submitted, prepared by Thomas & Calzadilla Metropolitan Architects titled, " Coral Way & 147th Avenue", consisting of 4 sheets, dated the 20th day of January, 2003, said plans being on file with the Miami-Dade County Department of Planning and Zoning, and by reference made a part of this agreement.
2. That the total number of units on the Property shall not exceed 154.
3. That subject to all necessary approvals from Miami-Dade County, a five (5) foot masonry wall shall be provided and maintained along the Southwest 26th Street frontage of the Property setback approximately two (2) feet from the Property line. A hedge shall be provided between the wall and the Property line.
4. That the garages for the homes on the Property shall not be enclosed with a masonry wall or otherwise.
5. That each lot within the west 75 feet of the Property shall have a minimum width of forty-five feet (45').

6. That each townhouse with the west 75 feet of the Property shall be no less than 2,300 square feet in size and shall include a garage capable of accommodating at least two (2) passenger cars.
7. That all townhouses shall provide a garage capable of accommodating at least one (1) passenger car.
8. That any modification to the Site plan shall require the written approval of Concerned Citizens of West Dade, Inc. Subdivision No. 1.

WHEREAS, upon due and proper consideration having been given to the matter, it was the opinion of this Board that the requested district boundary change to RU-3M would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and said application was approved by resolution CZAB10-6-03, and

WHEREAS, **ROBERTO D. VICH** appealed the decision of Community Zoning Appeals Board 10 on **CORAL WEST, LTD** to the Board of County Commissioners, for the following:

GU to RU-3M

SUBJECT PROPERTY: The north ½ of the east ½ of the SE ¼ of the SE ¼ of Section 9, Township 54 South, Range 39 East AND: The south ½ of the east ½ of the SE ¼ of the SE ¼ of Section 9, Township 54 South, Range 39 East, less the south 50' thereof for right-of-way of S.W. 26 Street (Coral Way) per Official Records Book 18324, Page 4152.

LOCATION: The Northwest corner of S.W. 147 Avenue & S.W. 26 Street (Coral Way), Miami-Dade County, Florida, and

1. WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, after reviewing the record and decision of Community Zoning Appeals Board 10 and after having given an opportunity for interested parties to be heard, it is the

opinion of this Board that the grounds and reasons specified in the appeal were insufficient to merit a reversal of the ruling made by Community Zoning Appeals Board 10 in Resolution No CZAB10-6-03 and that the appeal should be denied and the decision of Community Zoning Appeals Board 10 should be sustained, and

WHEREAS, a motion to deny the appeal and sustain the decision of Community Zoning Appeals Board 10 was offered by Commissioner Joe A. Martinez, seconded by Commissioner Rebeca Sosa, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	aye	Dennis C. Moss	aye
Jose " Pepe" Diaz	absent	Dorin D. Rolle	aye
Betty T. Ferguson	absent	Natacha Seijas	absent
Sally A. Heyman	aye	Katy Sorenson	aye
Joe A. Martinez	aye	Rebeca Sosa	aye
Jimmy L. Morales	aye	Javier D. Souto	absent

Chairperson Barbara M. Carey-Shuler aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied and the decision of Community Zoning Appeals Board 10 is sustained.

BE IT FURTHER RESOLVED that Resolution No. CZAB10-6-03 shall remain in full force and effect.

The Director is hereby authorized to make the necessary changes and notations upon the records of the Miami-Dade County Department of Planning and Zoning.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 8th day of May, 2003, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 02-12-CZ10-2

ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By **KAY SULLIVAN**

Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 9TH DAY OF JUNE, 2003.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-4-02 adopted by said Board of County Commissioners at its meeting held on the 8th day of May, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 9th day of June, 2003.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL





DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

□ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

11805 S.W. 26 Street
MIAMI, FLORIDA 33175

- IMPACT FEE SECTION
(786) 315-2670 • SUITE 145
- ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223
- ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106
- ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

June 9, 2003

Coral West Ltd
c/o Roberto D. Vich
1417 SW 136th Place
Miami, Florida 33184

Re: Hearing No. 02-12-CZ10-2
Location: THE Northwest corner of S.W. 147 Avenue & S.W. 26 Street (Coral Way),
Miami-Dade County, Florida

Dear Appellant:

Enclosed herewith is Resolution No. Z-4-03, adopted by the Board of County Commissioners, which denied your appeal and sustained the decision of Community Zoning Appeals Board 10 on the above-described property.

You are hereby advised that the decision of the Miami-Dade County Commission may be appealed by an aggrieved party within 30 days of the date of the transmittal of the resolution to the Clerk of the County Commission. You are further advised that in the event that an appropriate appeal is timely filed in the Circuit Court any building permit sought or obtained shall be solely at the risk of the party obtaining said permit.

Copies of any court filings concerning this matter should be served upon both my office and:

Robert A. Ginsburg, County Attorney
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Earl Jones
Deputy Clerk

Enclosures

cc: Ben Fernandez
200 S. Biscayne Boulevard, Ste 850
Miami, FL 33184